

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASSANDRA WASHINGTON,

Defendant.

CR-16-24-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 21, 2017. (Doc. 10.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 20, 2017. (Doc. 6.) Washington admitted that she violated the conditions of her supervised release. Washington violated the conditions of her supervised released by (1) failing to notify her probation officer prior to a change in employment at least ten

days prior; (2) possessing controlled substances without a prescription; (3) possessing drug paraphernalia; (4) using controlled substances, including oxycodone, morphine, dextroamphetamine, hydrocodone, and methamphetamine, without a prescription; and (5) using controlled substances, including methamphetamine and hydrocodone. (Doc. 10 at 1.) Washington denied that she associated with persons engaged in criminal activity. *Id.* The United States did not put on evidence regarding this allegation. *Id.*

The violations prove serious and warrant revocation of Washington's supervised release. Judge Johnston has recommended that the Court revoke Washington's supervised release and commit Washington to the custody of the Bureau of Prisons for twelve months. *Id.* at 6. Judge Johnston further has recommended that Washington have a period of supervised release of thirty-two months following her custody period. *Id.* at 7.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Washington's violations of her conditions represent a serious breach of the Court's trust. A sentence of custody of two months, followed by thirty-two months of supervised release, represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 10) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Cassandra Washington be sentenced to custody for two months followed by thirty-two months of supervised release.

DATED this 10th day of October, 2017.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line underneath it.

Brian Morris
United States District Court Judge